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July 10, 2019

VIA E-FILING AND FEDERAL EXPRESS

The Honorable Sam Glasscock III
Vice Chancellor
Court of Chancery
34 The Circle
Georgetown, DE 19947

Re: *Preston Hollow Capital LLC v. Nuveen LLC et al.*,
C.A. No. 2019-0169-SG

Dear Vice Chancellor Glasscock:

I write to notify the Court of one additional issue, which is closely related to the de-designation of phone call transcripts, that Preston Hollow will seek to raise with the Court tomorrow.

A governmental entity (which has asked not to be identified in this letter), has reviewed the recently de-designated transcripts of the Nuveen/Deutsche Bank recordings. The entity has contacted Preston Hollow regarding the pending the litigation and asked for copies of the original audio files of the available telephone recordings. As requested by the government entity, we sought consent

from Nuveen to share the audio recordings produced by Deutsche Bank that were the subject of Preston Hollow's prior motion to vacate the confidentiality designation, but Nuveen has not given consent. Although it did not provide consent, Nuveen did request that Preston Hollow inform the governmental entity that Nuveen would like to discuss the issue with the entity. Preston Hollow has so informed the governmental entity, but it did not express any interest in speaking with Nuveen. Instead, the governmental entity stated that it appeared a request to the Court for permission to share the original audio would be "most expedient".

It is unclear to us whether Nuveen's consent or Court approval is necessary to provide the audio recordings to the government entity, particularly now that the confidentiality designation has been substantially removed from the Deutsche Bank recordings and the substance of the recordings has been reviewed by the governmental entity through the filed transcripts. Nevertheless, for the sake of clarity and out of prudence, Preston Hollow will respectfully request that, during the hearing tomorrow, the Court address whether Preston Hollow is allowed to share the original audio files of the Deutsche Bank telephone recordings, and any other recordings that may be de-designated in this proceeding, with (and only with) the interested governmental entity.

The Honorable Sam Glasscock III

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Respectfully,

/s/ R. Judson Scaggs, Jr.

R. Judson Scaggs, Jr. (#2676)

Words: 304

RS/bg

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